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July 11, 2008

BY ECF

The Honorable Naomi Reice Buchwald, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street, Room 2270
New York, NY 10007

Re: The Disco Biscuits vs. Sunset Records Group, Inc. *et al.*
Dk #: 07-CV-5909 (NRB) S.D.N.Y.

Dear Judge Buchwald:

As you may know, our law firm represents the Plaintiff, The Disco Biscuits, (hereinafter "Plaintiff") in the above-referenced Action.

This letter shall serve as the parties report to the Court pursuant to the Initial Conference Order requesting the status of the discovery in this Action. The Defendant's counsel has reviewed this letter and approved its contents.

The parties have exchanged paper discovery and subject to any follow-up issues upon review of the exchanged documents, the parties have completed paper discovery in this Action. We still have depositions to conduct.

Counsel for both parties have consulted and have discussed scheduling the depositions in this Action for late August or early September. Plaintiff's concern is that calendars and scheduling may interfere with the scheduling by the Initial Conference Order deadline date of September 15, 2008. The Plaintiff, a rock band, is on tour for most of August and will be unable to prepare and appear for depositions until after Labor Day. Counsel for the Defendant has informed me that his schedule will not permit depositions to proceed until October.

Hon. Naomi Reice Buchwald, U.S.D.J.
United States District Court
Southern District of New York
July 11, 2008
Page 2 of 2

Therefore, the Plaintiff and Defendant jointly and respectfully request an adjournment of the September 15, 2008 discovery deadline date to December 1, 2008 to permit depositions to proceed in this Action. After depositions are complete, it is anticipated that discovery will be completed in this Action.

Respectfully submitted,

THE SCHER LAW FIRM, LLP



Austin Graff (AG-0096)

ARG/lmc

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